

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hugh C. Gardner et al.

Serial No.: **10/701,519**

Filed: **November 6, 2003**

For: **Secondary Carpet Backing and
Carpets**

Confirmation No.: **7372**

GAU: **1771**

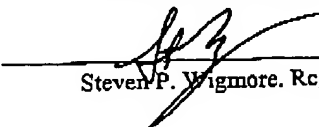
Examiner: **Cheryl Ann Juska**

TERMINAL DISCLAIMER IN APPLICATION

The owner, Propex Fabrics Inc., of the entire interest in the above-identified present application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of co-pending U.S. Application Serial No. 10/293,119, filed on November 13, 2002. The owner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that said patent and the prior patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee of such patent, and its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the co-pending application, as shortened by any terminal disclaimer, in the event that any patent granted on the co-pending application: expires for failure to pay a maintenance fee, is held

I hereby certify that this correspondence is being facsimile transmitted to: Mail Stop Amendment, The Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Attn: GAU 1771, Facsimile No. 571-273-8300, on November 1, 2005.


Steven P. Wigmore. Reg. No. 40,447

Serial No. 10/701,519

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

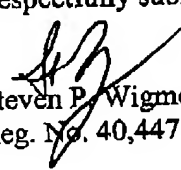
The undersigned is an attorney of record and is authorized to sign on behalf of the owner.

If any issues remain that may be resolved by telephone, the Examiner is requested to call the undersigned at 404.572.2884.

Authorization is hereby given to charge Deposit Account No. 11-0980 in the amount of \$130.00 for the fees required by 37 CFR § 1.20(d) disclaimer.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 11-0980 for any additional fees required under C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,


Steven P. Wigmore
Reg. No. 40,447

King & Spalding LLP
45th Floor
191 Peachtree Street, N.E.
Atlanta, Georgia 30303
404.572.4600
K&S Docket: 05485.105011

DUPLICATE

Patents

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hugh C. Gardner et al.

Serial No.: **10/701,519**

Filed: **November 6, 2003**

For: **Secondary Carpet Backing and
Carpets**

Confirmation No.: **7372**

GAU: **1771**

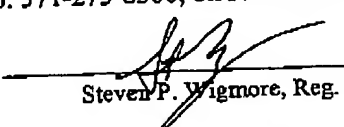
Examiner: **Cheryl Ann Juska**

TERMINAL DISCLAIMER IN APPLICATION

The owner, Propex Fabrics Inc., of the entire interest in the above-identified present application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of co-pending U.S. Application Serial No. 10/293,119, filed on November 13, 2002. The owner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that said patent and the prior patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee of such patent, and its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the co-pending application, as shortened by any terminal disclaimer, in the event that any patent granted on the co-pending application: expires for failure to pay a maintenance fee, is held

I hereby certify that this correspondence is being facsimile transmitted to: Mail Stop Amendment, The Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Attn: GAU 1771, Facsimile No. 571-273-8300, on November 1, 2005.


Steven P. Wigmore, Reg. No. 40,447

DUPLICATE

 DUPLICATE

Serial No. 10/701,519

unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

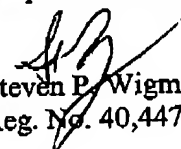
The undersigned is an attorney of record and is authorized to sign on behalf of the owner.

If any issues remain that may be resolved by telephone, the Examiner is requested to call the undersigned at 404.572.2884.

Authorization is hereby given to charge Deposit Account No. 11-0980 in the amount of \$130.00 for the fees required by 37 CFR § 1.20(d) disclaimer.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 11-0980 for any additional fees required under C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,


Steven P. Wigmore
Reg. No. 40,447

King & Spalding LLP
45th Floor
191 Peachtree Street, N.E.
Atlanta, Georgia 30303
404.572.4600
K&S Docket: 05485.105011

 DUPLICATE